MEMO OF ALTERATIONS.

Mysore Infant Marriages Prevention Regulation.

1. The Draft Regulation published on 27th July 1893 was fully discussed at the meeting of the Representative Assembly held at Mysore in October 1893. Amidst much unenlightening criticism there were some practical and sensible suggestions. The evils of early marriages were generally admitted, but the fewness of such marriages was put forward by some speakers as an argument against legislation. But as penal legislation is as a rule aimed against a minority of evil doers in a community, and the evil doers in respect of the offences contemplated by the Regulation are on the increase, as shown by the census statistics, Government are unable to accept the argument of non-intervention as of any value in the present case.

2. The evil of infant marriage, properly so called, exists only among the Hindus, and the application of the Regulation will accordingly be restricted to Hindu marriages. Among the Hindus, marriage is a religious ceremony, the performance of which creates the relationship of husband and wife, which relationship when once created by the prescribed religious ceremony is binding upon the wife throughout her lifetime, and neither a divorce nor the death of the husband can make her eligible for re-marriage, which is prohibited to every Hindu woman.

3. The provisions relating to the marriage of boys under fourteen will be omitted with a view to simplify the enactment by confining its provisions to the main object in view, namely, protection to infant girls.

4. Having regard to the absence of a law enforcing the registration of births and deaths, as well as the general sentiment on the subject of enquiries into the age of girls, a section will be added providing the previous sanction of the Government to be necessary for every prosecution under this Regulation. This provision will be an effectual check upon vexatious or improper prosecutions under the Regulation.

The Draft Regulation revised in accordance with the above views, will be published in English and Kanarese in three successive issues of the official Gazette.

K. S.

21st August 1894.